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FILED  
08 DEC 23 PM 3:00  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
*[Handwritten signature]*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
CRISTOBAL TAMAYO, et al.,  
Defendants.

Case No. CR 06 - 0647 CRB  
STIPULATION AND [PROPOSED]  
ORDER

The parties in the above-captioned cases, through their counsel of record, hereby make the stipulated request to allow Cristobal Tamayo (who is currently residing at Cornell Corrections as required by this Court's Order of Release) to travel to his mother's home in Santa Rosa California for Christmas Eve, Christmas Day, New Year's Eve and New Year's Day.

Pre-Trial Services has been consulted and has no objection.

The parties make this request upon the following conditions:

1. That Mr. Tamayo be released from Cornell Corrections at 9:00 am on Christmas Eve Day;

///

- 1           2. That he be picked up by his mother Beatrice Tamayo and immediately
- 2           driven to the Office of Pre-Trial Services to have an electronic monitor
- 3           placed upon his person;
- 4           3. That his mother then drive him to attend the family gathering at 1533
- 5           Buckboard Place;
- 6           4. That he observe a 9:00 pm curfew.
- 7           5. That his mother return him to Cornell Corrections no later than 9:00 pm
- 8           Christmas Day (the next day);
- 9           6. That he travel directly to and from 1533 Buckboard, not have any
- 10          contact with any co-defendants in this case, and contact Pre-Trial
- 11          Services should such contact occur.
- 12          7. That Mr. Tamayo be released from Cornell Corrections at 9:00 am on
- 13          New Year's Eve Day;
- 14          8. That he be picked up by his mother Beatrice Tamayo and immediately
- 15          driven to the Office of Pre-Trial Services to have an electronic monitor
- 16          placed upon his person;
- 17          9. That his mother then drive him to attend the family gathering at 1533
- 18          Buckboard Place;
- 19          10. That he observe a 9:00 pm curfew.
- 20          11. That his mother return him to Cornell Corrections no later than 9:00 pm
- 21          New Year's Day; and

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1           12. That he travel directly to and from 1533 Buckboard, not have any  
2           contact with any co-defendants in this case, and contact Pre-Trial  
3           Services should such contact occur.

4

5           **IT IS SO STIPULATED.**

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7           Dated: December 22, 2008

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9           By:   
MARTIN A. SABELLI, CA 164772

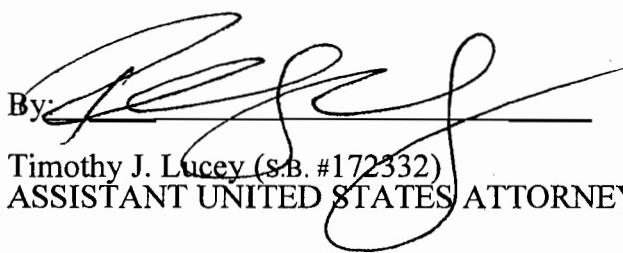
10

11          Dated: December 22, 2008

12

13          JOSEPH P. RUSSONIELLO  
14          UNITED STATES ATTORNEY

15

16          By:   
Timothy J. Lucey (s.B. #172332)  
ASSISTANT UNITED STATES ATTORNEY

17

18          **ORDER**

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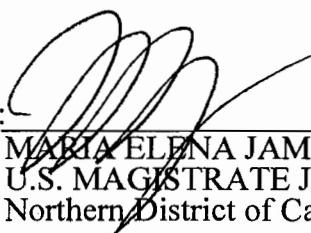
20          GOOD CAUSE appearing,

21          IT IS SO ORDERED.

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23          Dated: December 23, 2008

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25          By:   
MARIA ELENA JAMES  
U.S. MAGISTRATE JUDGE  
Northern District of California

1 CERTIFICATE OF SERVICE

2 The undersigned hereby certifies that he is an employee of the office of the United States  
3 Attorney, Northern District of California and is a person of such age and discretion to be  
4 competent to serve papers. The undersigned certifies that he caused copies of

5 STIPULATION AND ORDER

6 in the case of **U.S. v. CRISTOBAL TAMAYO et al; CR 06-0647 CRB; CR 06-0648 CRB**  
7 to be served on the parties in this action, addressed as follows which are the last known  
8 addresses:

9  
10 Law Ofc of Martin A Sabelli  
11 584 Castro St #851  
San Francisco, CA, 94114

12 \_\_\_\_\_(By Personal Service), I caused such envelope to be delivered by hand to the person or  
13 offices of each addressee(s) above.

14 \_\_\_\_\_ (By Facsimile), I caused each such document to be sent by Facsimile to the person or  
15 offices of each addressee(s) above.

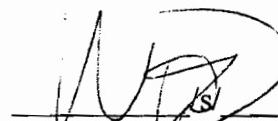
16 \_\_\_\_\_ X (By Mail), I caused each such envelope, with postage thereon fully prepaid, to be placed  
17 in the United States mail at San Francisco, California.

18 \_\_\_\_\_ (By Fed Ex), I caused each such envelope to be delivered by FED EX to the address  
19 listed above.

20 I declare under penalty of perjury that the foregoing is true and correct.

21 December 23, 2008

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WILSON WONG  
United States Attorney's Office